

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DAVID HOUSE,

Plaintiff,

v.

JANET NAPOLITANO, in her official capacity as
Secretary of the U.S. Department of Homeland
Security; ALAN BERSIN, in his official capacity as
Commissioner, U.S. Customs and Border Protection;
JOHN T. MORTON, in his official capacity as Director,
U.S. Immigration and Customs Enforcement,

Defendants.

Case No. 1:11-cv-10852-DJC

JOINT MOTION TO RESCHEDULE MAY 7, 2012 SCHEDULING CONFERENCE

This is a case arising under the First and Fourth Amendments relating to a search and detention of Plaintiff's electronic devices in November 2010. On March 28, 2012, the Court denied Defendants' motion to dismiss, or in the alternative, for summary judgment. On that same date, the Court set a scheduling conference for May 7, 2012. The parties jointly request that the May 7, 2012 scheduling conference be postponed. In support of this request, the parties state as follows:

1. Both counsel for the Plaintiff will both be out of the country on May 7, 2012.
2. Both counsel for the Plaintiff, as well as counsel for the Defendants, will also be traveling at various points later in May and in June.
3. On April 2, 2012, Counsel for Defendants contacted the Court's courtroom deputy and obtained some alternative dates for the scheduling conference.

4. All counsel are available on one of the alternative dates provided: June 18, 2012 at 2 pm.

Accordingly, the parties respectfully request that the May 7, 2012 scheduling conference be moved to June 18, 2012, so that all counsel are able to participate.

Respectfully Submitted,

<p>DAVID HOUSE By his attorneys,</p> <p><i>/s/ Diane Kelleher (with CC consent)</i> CATHERINE CRUMP ccrump@aclu.org (Admitted Pro Hac Vice) Speech, Privacy and Technology Project American Civil Liberties Union 125 Broad Street, 17th floor New York, New York 10004 (212) 549-2500</p> <p><i>/s/ Diane Kelleher (with JR consent)</i> JOHN REINSTEIN, BBO # 416120 jreinsteinaclum.org Laura Rótolo, BBO # 665247 lrotolo@aclum.org American Civil Liberties Union Of Massachusetts 211 Congress Street Boston, Massachusetts 02110 (617) 482-3170</p>	<p>JANET NAPOLITANO, <i>et al.</i>, By their attorneys,</p> <p>TONY WEST Assistant Attorney General</p> <p>SANDRA M. SCHRAIBMAN Assistant Branch Director</p> <p><i>/s/Diane Kelleher</i> DIANE KELLEHER Senior Trial Counsel U.S. Department of Justice, Civil Division Federal Programs Branch 20 Massachusetts Ave., N.W., Room 5373 Washington, D.C. 20530 Tel.: (202) 514-4775 Fax.: (202) 616-8470 Email: diane.kelleher@usdoj.gov</p>
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as nonregistered participants by First Class Mail.

/s/ Diane Kelleher

Diane Kelleher

Dated: April 10, 2012

